

From: mark@saipanlaw.com
To: deannesiemer@nishi.com, deannes@aol.com
Subject: new lawsuit
Date: Fri, 29 May 2009 16:22:43 +1000

Deanne,

I know you have been busy in D.C. Don't know if you are back in Saipan or when you might return, but I wanted to run something by you.

I have been retained by Randy Fennell to prepare and to file, if necessary, a lawsuit against several government attorneys (Matt Gregory, Greg Baka, Anthony Welch and Tom Schweiger) related to the OAG's conflicting roles and acts and omissions related to the representation of Mr. Fennell and the Department of Public Lands in the Bank of Saipan v. Fennell and others arising out of Mr. Fennell's acting as the Receiver for the Bank of Saipan in 2002.

That Bank of Saipan lawsuit is ongoing in the Commonwealth Superior Court. This lawsuit would be filed in federal court. Mr. Fennell wants out of the Bank of Saipan suit. He is being sued by both the Bank and by DPL (started by MPLA/Matt Gregory). We are trying to get the ear of the Governor because we would rather not have to file the Complaint. A draft of the Complaint is attached for your review. As it is only a draft, in providing it to you, we ask that you not disseminate the draft to third parties, but we do not mind if you show it to the Governor.

As you can see from the Complaint, it makes not so nice allegations involving the Governor and particularly his various roles in the Bank of Saipan fiasco. Our thought is that DPL should dismiss its ongoing claims against Fennell and the CNMI should substitute in for Mr. Fennell pursuant to the Commonwealth Employees' Liability Reform and Tort Compensation Act of 2006, P.L. 15-22. We believe that the Calvo and Clark driven lawsuit, at least against Fennell, could be easily dealt with if the Government were the defendant which it rightly should be.

<http://us.mc538.mail.yahoo.com/mc/showMessage?sMid=5&fid=Civ%2520%252d%2520Fennell%2520...> 7/14/2009

In any case, we wanted to take the opportunity to try to resolve this short of filing. We approached Steve Pixley who did inform the Governor about our intentions, but we received very little feedback from Pixley on the matter. No more than "I told him, but he's busy with the federalization stuff." We were hoping that you could help bring this to the Governor's attention anew and see whether filing will be necessary.

Please let me know either way whether you can and will help or not. We appreciate your time.

Regards,

MARK B. HANSON, ESQ.
Second Floor, Macaranas Building
Beach Road, Garapan
PMB 738, P.O. Box 10,000
Saipan, Mariana Islands 96950
(670) 233-8600
(670) 233-5262 (facsimile)

NOTICE: Pursuant to requirements related to practice before the Internal Revenue Service, any tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for the purposes of (i) avoiding penalties imposed under the United States Internal Revenue Code or (ii) promoting, marketing or recommending to another person any tax-related matter.

This email message is for the sole use of the intended recipient(s) and may contain information that is confidential and protected from disclosure by the attorney-client privilege, as attorney work product, or by other applicable privileges. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please destroy all copies of the original message.